

ORDINANCE NO. 2208 C.S.

AN ORDINANCE ESTABLISHING A SEWER SERVICE FEE; ESTABLISHING THE RATES THEREFOR; PROVIDING FOR METHOD OF COLLECTION AND PENALTIES FOR LATE PAYMENT AND PROVIDING FOR FUTURE INCREASES

- - - - -

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN
AS FOLLOWS:

SECTION 1: SEWER USER FEE: There is hereby established and assessed against every user of the sanitary sewer system of the City of Monterey a fee for the use of said sanitary sewer system in the amount set forth herein.

SECTION 2: USER DEFINED: User shall mean any person, firm or corporation who makes or maintains a connection to the sanitary sewer system of the City of Monterey. For the purpose of establishing liability for payment of said fees, the user shall be rebuttably presumed to be the person, firm or corporation who has contracted with the servicing public utility for water service.

SECTION 3: FEE: The fee shall be twenty-five percent (25%) of the sewer service charge established by the Monterey Regional County Sanitation District pursuant

to District Ordinance No. 77-4, adopted on July 26, 1977, as amended by District Ordinance No. 78-1, adopted on March 1, 1978. Where said fees for commercial users are established by the District based upon water usage, such finding by the District shall determine the fee.

SECTION 4: INCREASED FEES: Should the District increase or decrease its service charge, the City fee shall be twenty-five percent (25%) of said increased or decreased fee.

SECTION 5: COLLECTION OF FEES: DELINQUENCY: Fees charged pursuant to this Ordinance shall become due and payable at the same time and in the same manner as the District fee. Any fee shall become delinquent if not paid within 30 days after mailing or delivery of notice thereof. Any fee that becomes delinquent shall have added to it a penalty charge equal to ten percent (10%) of the fee that became delinquent.

SECTION 6: DISTRICT AUTHORIZED TO COLLECT FEES: The Monterey Regional County Sanitation District is hereby authorized, as a part of the City, to collect the fees assessed by this ordinance. The City Manager is authorized to execute an agreement with the District to collect said fees and to pay the District its cost of collection.

SECTION 7: EFFECTIVE DATE: The sewer service charge shall be charged from and after the 1st day of July, 1978, and shall be billed at the next regular billing cycle of the District.

SECTION 8: SEVERABILITY: It is hereby declared to be the intention of the City Council that the sections, sentences, clauses and phrases of this Ordinance are severable and if any section, sentence, clause or phrase is held to be unconstitutional by valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remaining sections, sentences, clauses or phrases of this ordinance.

SECTION 9: EFFECTIVE DATE: This Ordinance shall take effect and be in full force thirty days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 2nd day of May, 1978, by following vote:

AYES:	COUNCILMEN:	BOULDRY, HOOKER, PAGE, FRY
NOES:	COUNCILMEN:	GOLD
ABSENT:	COUNCILMEN	NONE

APPROVED:

Gerald T. Fry

/s/ GERALD T. FRY
Mayor of City

ATTEST:

Beth C. Lyons

/s/ BETH C. LYONS
Assistant City Clerk thereof

I, JOHN O. DUNN, City Clerk of the City of Monterey and ex-officio Clerk of the Council thereof, do hereby certify that the foregoing is a full, true and correct copy of ORDINANCE NO. 2208 C.S., duly passed and adopted on the 2nd day of May, 19 78, and that same has been published as required by law on the 21st day of April, 19 78.

City Clerk of the City of Monterey